

Remarks

The Office Action dated November 30, 2007 has been received and reviewed.

Claims 1, 6, 11, 13, 22, 28, 33, and 39 are currently canceled.

Claims 2, 5, 9, 10, 23, 27, 31, 32, 46, 47, 50, 51, 62, and 63 are currently amended. The amendments introduce no new matter and are supported by the specification.

Claims 2 and 23 are each currently amended to recite wherein each R⁴ is independently an alkyl group having 4 to 18 carbon atoms, and wherein A is an aliphatic, aromatic, aralkyl, or alkaryl group having 6 to 20 carbon atoms. Claims 5 and 27 are each currently amended to recite wherein each R⁴ is independently a C8-C18 alkyl group. Claims 9 and 31 are currently amended to recite wherein A is (CH₂)_n wherein n = 6-20. Claims 10 and 32 are currently amended to recite wherein n = 10-20. Support for these amendments can be found at, for example, page 11, line 8; page 9, line 18 through page 10, line 6; and page 11, lines 13-17. Claims 46, 50, and 62 are currently amended to recite wherein R¹ is aliphatic, aromatic, aralkyl, or alkaryl group that includes a polymerizable group. Support for these amendments can be found at, for example, page 9, line 18 through page 10, line 6. Claims 47, 51, and 63 are currently amended to recite wherein A is a bond or a straight chain or branched aliphatic group. Support for these amendments can be found at, for example, page 9, lines 24-26.

New claims 75 and 76 are currently added. Support for claim 75 and 76 can be found throughout the application, for example at page 3, lines 6-13; page 9, line 18 through page 10, line 6; and original claim 1.

Claims 5, 7, 27, 29 and 46-74 are withdrawn from consideration as being drawn to non-elected species or invention.

Claims 2-5, 7-10, 12, 14-21, 23-27, 29-32, 38, 40-76 are currently pending in this application.

Claims 1-4, 6, 8-12, 14-26, 28, 30-38 and 40-45 were rejected.

Rejections under 35 U.S.C. § 102(b)

Claims 1-4, 6, 8-12, 14-26, 28, 30-38 and 40-45 were rejected under 35 U.S.C. § 102(b) as being anticipated by Haberland et al. (DD 273846). Independent claim 1

has been canceled, and independent claims 2 and 23 have been amended; these claims are not anticipated by Haberland et al.

Currently pending independent claims 2, 23, 75, and 76 are novel in view of Haberland et al. The reference does not teach each and every limitation recited in the claims. Haberland et al. does not teach, for example, a composition comprising a compound of Formula II wherein R^4 is an alkyl group having 4 to 18 carbon atoms, or can be joined to A forming a cyclic organic group, as recited in claims 2 and 23. Haberland et al. does not teach, for example, a composition comprising a compound of Formula I wherein R^1 includes a cyclic group and a polymerizable group, or is an aliphatic, aromatic, aralkyl, or alkaryl group substituted with an element other than carbon and hydrogen and including an ethylenically unsaturated polymerizable group, as recited in claim 75. Haberland et al. does not teach, for example, a composition comprising a compound of Formula I wherein R^2 is OR, SR, $N(R)_2$, or an organic group that can optionally join with R^1 to form a carbon-carbon double bond with the carbon between the two phosphorus atoms, wherein the organic group optionally includes an ethylenically unsaturated polymerizable group, and wherein each R is independently an organic group optionally including an ethylenically unsaturated polymerizable group, as recited in claim 76. Thus, independent claims 2, 23, 75, and 76 are novel in view of Haberland et al.

Rejections under 35 U.S.C. § 103(a)

Claims 1-4, 6, 8-12, 14-26, 28, 30-38 and 40-45 were rejected 35 U.S.C. § 103(a) as being obvious in view of Omura et al. (US 4,499,251). Independent claim 1 has been canceled, and independent claims 2 and 23 have been amended; these claims are not obvious in view of Omura et al.

Currently pending independent claims 2, 23, 75, and 76 are not obvious in view of Omura et al. Omura et al. teach that the hydrocarbon group A represents the organic residue R_a of Formula I, column 4, and that “ R_a represents an organic residue of 6-60 carbon atoms.” Column 5, lines 40-42; column 4, lines 43-44. The group R_a is additionally defined as “a hydrocarbon group of 6-60 carbon atoms optionally substituted by halogen, hydroxyl, amino or carboxyl.” Column 6, lines 45-48. Applicants submit that the number of species (i.e., structural isomers) of “a hydrocarbon group of 6-60 carbon atoms” is very large, and that the genus

encompassed by Formula II of Omura et al. (which includes additional variables) is a potentially infinite genus. There is nothing to suggest how to select particular species not specifically recited by Omura et al. Thus, independent claims 2, 23, 75, and 76 are patentable in view of Omura et al.

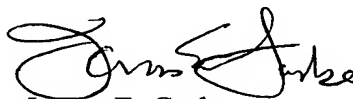
Claims 3, 4, 8-10, 12, 14-21, 24-26, 30-32, 38, and 40-45 each depend from a patentable independent claim and are each therefore patentable.

Request for Rejoinder

Pending claims 5, 7, 27, and 29 have been withdrawn from consideration as not reading on the elected species, an identification that may have been made in error. Claims 5 and 7 depend from independent claim 2, and claims 27 and 29 depend from independent claim 23. Upon indication of either claim 2 or claim 23 being allowable, Applicants respectfully request the restriction/election requirement be reconsidered, and that claims 5, 7, 27, and 29 be rejoined, examined, and passed on to allowance pursuant to M.P.E.P. § 821.04.

All outstanding objections and rejections are believed to have been met and overcome. If a telephonic conference with Applicants' undersigned representative would be useful in advancing the prosecution of the present application, the Examiner is invited to contact the undersigned at (651) 736-7224. A notice of allowance for all pending claims is respectfully solicited.

Respectfully submitted,



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